IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 2 OF 2006

M/S RUBY INTERNATIONAL INDIA THROUGH ITS PARTNER SHRI OMKAR NATH THAKUR ....Applicant

Versus

THE STATE OF GOA THROUGH ITS CHIEF SECRETARY AND 3 ORS., ...Respondents

Mr. P. P. Singh, Advocate for the Applicant.
Mr. M. Salkar, Aga for the Respondents.

Coram:- A. P. LAVANDE, J.

Date:- 6th April, 2006

P.C.:

Heard.

2. This is an application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (The Act, for short) for appointment of Arbitrator. The applicant entered into an agreement dated 8th Fbruary, 2002 with the respondents. Thereafter certain disputes arose between the parties and by Notice dated 18.4.05 addressed to the Captain of Ports, the Applicant made a demand for an amount of Rs.17,19,411/-. Since the amount was not paid, by communication dated 15.10.05, the applicant called upon the Captain of Ports to appoint an Arbitrator to settle the disputes between the parties. Since the Captain of Ports failed and/or neglected to appoint an Arbitrator in terms of the Agreement entered into between the parties, the applicant has approached this Court for appointment of Arbitrator under Section 11(6) of the Act.

3. Mr. Salkar, learned Addl. Government Advocate appearing on behalf of the respondents, submitted that the respondents have no objection if an

Arbitrator is appointed to settle the disputes raised by the applicant in terms of the communications dated 18.4.05 and 15.10.05. The learned Counsel appearing for the parties suggested the name of Advocate Shri G.U. Bhobe, with Office at A4, 3rd Floor, Navelcar Trade Centre, M.G. Road, Panaji, Goa, as the Arbitrator.

4. In view of the above, Advocate Shri. G.U. Bhobe is appointed Arbitrator in respect of the disputes raised by the Applicant. The applicant shall deposit an amount of Rs.5000/- by way of processing fees in this Court within a period of three weeks. After the costs are deposited, Notice be issued to the Arbitrator.

A. P. LAVANDE, J.

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